

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Inventor(s):** Barry A.T. BROWN et al.**Serial No.:** Not Yet Assigned**Examiner:** To Be Determined**Filed:** Herewith**Group Art Unit:** Unknown**Title:** HAND-HELD IMAGE CAPTURE APPARATUS**BOX PATENT APPLICATION**

Assistant Commissioner for Patents

Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to the examination of the above-identified application, please amend this application as follows:

IN THE CLAIMS:

1. An image capture apparatus [(1), characterized in that] such that the apparatus comprises: a combined electronic camera [(2)] and [swipe] scanner [(4)], the electronic camera [(2)] having an associated optical system [(8)] and detector array [(12)] for remote capturing of a first image [(46,81)] and the [swipe] scanner [(4)] having an associated optical system [(28)] and detector array [(34)] for [swipe] scan capturing of a second image [(38,83)]; and a [data storage means [(92)] memory arranged to store the first image [(46,81)] and the second image [(38,83)] in association with each other.
2. An image capture apparatus [(1)] as claimed in Claim 1, in which the electronic camera [(2)] captures colour images and the [swipe] scanner [(4)] captures grey-scale images.
3. An image capture apparatus [(1)] as claimed in Claim 2, in which the apparatus includes [means (64)] a processor programmed for combining in registration the

images with each other to form a composite image [(85)] that combines in at least a portion of the composite image colour from the first image [(46,81)] with detail from the second image [(38,83)].

4. An image capture apparatus [(1)] as claimed in [any preceding] claim[,], 1, comprising a display [(6)] for displaying one or both of the images [(46,81;38,83)].
5. An image capture apparatus [(1)] as claimed in Claim 4, in which the display [(6)] is visible to a user of the apparatus and displays to the user the first image [(81)] when this is to be captured and at the same time also an associated previously captured second image [(83)], so that the user can capture the images [(81, 83)] with a desired orientation with respect to each other when displayed on the display [(6)].
6. An image capture apparatus [(1)] as claimed in Claim 4 [or Claim 5], in which the apparatus is adapted [includes means (6,64,80,82)] for displaying separately at the same time both the captured first image [(46,81)] and the captured second image [(38,83)].
7. An image capture apparatus [(1)] as claimed in [any preceding] claim 1, in which the apparatus has a data output [means (57,64,67)] arranged to output from the apparatus [(1)] the first image [(46,81)] and second image [(38,83)] in association with each other.
8. An image capture apparatus [(1)] as claimed in [any preceding] claim 1, in which the apparatus has a data input [means (7,56;52,54;62)] by which annotation data [(58)] regarding the first image [(46,81)] or the second image [(38,83)] may be entered into the apparatus [(1)] in association with the first image [(46,81)] and/or the second image [(38,83)].
9. An image capture apparatus [(1)] as claimed in Claim 8, in which the data input [means] includes an electronic scribble pad [(7)].

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10. An image capture apparatus [(1)] as claimed in Claim 8, in which the data input [means] includes a keypad [(52,54)].
11. An image capture apparatus [(1)] as claimed in Claim 8, in which the data input [means] includes an audio microphone [(62)].
12. A method using an image capture apparatus [(1)] that has an electronic camera [(2)] for remote capturing of a first image [(46,81)], a scanner [(4)] for [swipe] scan capturing of a second image [(38,83)], and a memory data storage means [(92)] for storing the first and second images [(46,81;38,83)]; comprising the steps of:
- using the electronic camera [(2)] to capture the first image [(46,81)] and the [swipe] scanner [(4)] to capture the second image [(38,83)]; and
 - storing [(92)] the first image [(46,81)] and second image [(38,83)] in association with each other.

REMARKS

The examiner is respectfully requested to consider this preliminary amendment prior to examination of the application. No new matter has been added.

Please grant any required extensions of time and charge any fees due in connection with this request to Deposit Account no. 08-2025.

Respectfully submitted,

WILMER, CUTLER & PICKERING

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